

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
THIRD DIVISION

In re: Guidant Corp. Implantable Defibrillators
Products Liability Litigation

MDL No. 1708
(DWF/AKB)

This Document Relates to All Actions

JOINT AGENDA FOR MARCH 8,
2006 STATUS CONFERENCE

The parties have agreed upon the following agenda for the Case Status Conference to be held on March 8, 2006:

1. Number and status of cases transferred into the MDL
2. Items from paragraph 15 of PTO5:
 - a. Proposed final discovery deadlines in light of the provisions of this Order.

Plaintiffs' Proposal:

Completion of fact (liability and plaintiff) discovery for
representative trials, June 30, 2006

Identification of experts for same, July 14, 2006

Expert reports (if any), August 1, 2006

Completion of expert and all discovery, September 29, 2006, as
per PTO # 5 paragraph 6

Defendants' Proposal:

Completion of fact discovery for representative trials 10/01/06 as
per PTO # 5 paragraph 6

Disclosure of plaintiffs' experts and expert reports 10/07/06

Completion of depositions of plaintiffs' experts 10/31/06

Disclosure of defendants' experts and expert reports 11/07/06

Completion of depositions of defendants' experts 11/21/06

Dispositive Motions 12/01/06

- b. Use and value of generic experts.
 - c. Use and value of case-specific experts.
 - d. Coordination of state and federal discovery, including coordination of motion practice and any trial settings. It is the Court's intent to reach out to the state judges in proceedings in this matter. The Court is ready, willing, and able to discuss the status of the case, its effect on individual state cases, and any other issues that involve judges across the United States, be they state or federal.
 - e. Class-certification; discovery; motion issues in light of the provisions contained in this PTO5.
 - f. Filing of a master complaint and a master answer.
 - g. Use and value of summary jury trials for settlement purposes.
- 3. Status of Discovery – Reports on Matters Addressed in Stipulated Order on Discovery Matters (March 3, 2006; Docket Number 75)
 - 4. Status of ADR
 - 5. Defendants' Fact Sheet
 - 6. Plaintiffs' Facts Sheets
 - 7. Proposed Order relating to Defendants' contact with doctors
 - 8. Proposed Order regarding waiving admission to District of Minnesota for filing of complaints in the MDL
 - 9. Prospective Discovery Cutoff Date
 - 10. Motion to Compel Production of Independent Panel Documents
 - 11. Remand Motions:
 - A. Machalowski
 - B. Wislocki

12. Scheduling of Next Discovery Conference Call and Status Conference

Dated: March 6, 2006

Respectfully submitted,

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